

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

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|---------------------------|---|-------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 4:17 CR 599 HEA NCC |
| |) | |
| MICHAEL SMITH, |) | |
| |) | |
| Defendant. |) | |

MOTION FOR PRETRIAL DETENTION AND HEARING

Comes now the United States of America, by and through Attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Linda Lane, Assistant United States Attorneys for said District, and moves the Court to order Defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is charged with offenses for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (Title 21, United States Code, Section 801, et seq.), or chapter 705 of Title 46 (Maritime Drug Law Enforcement), specifically possession with intent to distribute heroin and oxycodone. Defendant is also charged with violating Title 18, United States Code, Section 922(g)(1) and 924(c).

2. Accordingly, a rebuttable presumption arises pursuant to Title 18, United States Code, Section 3142(e)(3) that there are no conditions or combination of conditions which will reasonably assure the appearance of the defendant as required, and the safety of any other person and the community.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of Defendant's initial appearance.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

/s/ Linda Lane
LINDA LANE, # 0011451IA
Assistant United States Attorney